

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 02-210(1) (DSD/SRN)

United States of America,

Plaintiff,

v.

ORDER

Dermont Ladale Broussard,

Defendant.

This matter is before the court upon the motion by defendant Dermont Ladale Broussard for a sentence reduction pursuant to Section 404 of the First Step Act and 18 U.S.C. § 3582(c)(1)(B). Based upon a review of the file, record, and proceedings herein, and for the following reasons, the court grants the motion.

The underlying facts are set forth in the court's order dated April 19, 2019, and will not be repeated here. In that order, the court determined that Broussard is eligible for relief under the First Step Act. Noting Broussard's disciplinary record while in prison, the court deferred ruling on whether Broussard should receive a sentence reduction notwithstanding his eligibility for such relief. At the time, the court believed that exploration of Broussard's conduct while in prison would assist in its final determination. The court has since conducted a hearing, reviewed additional submissions from the parties, and received letters in support of Broussard from his family.

After careful additional consideration of the matter, the

court concludes that Broussard should receive a sentence reduction. Although Broussard has incurred several incident reports while in prison, he has had no cited behavioral issues in the last three years.¹ He has also engaged in various enrichment activities during his incarceration: he completed the drug education program, took numerous educational classes, and worked several jobs. See ECF No. 138-1 at 1-3. He has also completed a course in welding, which should allow him to find steady employment on his release. Id. at 2. When Broussard's record is considered in its totality, the court is satisfied that a sentence reduction under the First Step Act is warranted.

Accordingly, based on the above, **IT IS HEREBY ORDERED** that:

1. The motion for a sentence reduction pursuant to Section 404 of the First Step Act [ECF No. 138] is granted;

2. The related motions [ECF Nos. 142, 144] are denied as moot;

3. Defendant's term of imprisonment in this matter only is reduced to time served;

4. The court's ruling does not affect Broussard's 15-month sentence imposed in United States v. Broussard, No. 4:11-cr-181 (E.D. Ark. Sept. 6, 2011);

5. Defendant's term of supervised release is reduced to 4

¹ He has been separately sentenced to 15 months for his 2011 Arkansas conviction while in prison and will serve that sentence as determined by the Bureau of Prisons.

years;

6. Upon his release, defendant shall reside for a period of up to 120 days in a residential reentry center as approved by the probation officer and shall observe the rules of that facility; and

7. All other aspects of defendant's original sentence shall remain as originally imposed.

Dated: May 2, 2019

s/David S. Doty
David S. Doty, Judge
United States District Court